

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Laba Karki on March 24, 2009.

The application has been amended as follows:

Instant claim 4, line 2, lower case "y" has been replaced with capital --Y--.

Instant claim 13, line ⁴~~2~~, the first lower case "y" has been replaced with capital --

Y--.

Allowable Subject Matter

Claims 1 and 3-15 have been found to be allowable over the prior art of record.

2. The following is an examiner's statement of reasons for allowance: the claims are novel over the closes prior art. The closest prior art is Kuzuoka *et al.* (US 2003/0038704) and Iwaya *et al.* (5,568,116).

Kuzuoka discloses a method of producing a thermistor element with a composition $(M1M2)O_3$ and AO_x , where M1 can be iron, M2 can be strontium and AO_x can be $Y_3Al_5O_{12}$. However, Kuzuoka does not teach wherein $FeYO_3$ and/or $AlYO_3$ is selected as the perovskite type oxide. Furthermore, it would not be obvious to specifically choose iron and strontium from the group of elements recited by Kuzuoka and in the concentrations recited by applicant; therefore, the claims are novel.

5-20-09